

neonate when said neonate is placed on said conformable member to facilitate the re-positioning of the neonate.

2. (As Filed) The device of Claim 1, wherein the positioning of the neonate is accomplished without direct physical contact between a caregiver and the neonate.

3. (As Filed) The device of Claim 1, further comprising a fastening means for coupling each of the support members to a portion of the conformable member.

4. (As Filed) The device of Claim 3, wherein the fastening means comprises a plurality of hollow sleeves, coupled to a portion of said conformable member, wherein each hollow sleeve has an open end to insertably receive one of the plurality of support members.

5. (As Filed) The device of Claim 1, wherein each of the support members is removably coupled to the conformable member.

6. (Previously Amended) The device of Claim 1, wherein the conformable member comprises a material having a density sufficient for cushioning the neonate.

7. (As Filed) The device of Claim 1, wherein the conformable member comprises a structure taken from the group consisting of a padded blanket and a padded mattress.

8. (As Filed) The device of Claim 1, wherein the plurality of support members comprises:

a transverse support member coupled substantially transversely along a head end of the conformable member; and

at least one lateral support member coupled substantially laterally along a lateral edge of the conformable member.

9. (Amended) The device of Claim 1, wherein the plurality of support members comprises a pair of lateral support members coupled substantially along opposing lateral edges of the conformable member.

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP

25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

10. (As Filed) The device of Claim 1, wherein each of the plurality of support members comprises a sealable collapsible bag having a filler material.

11. (As Filed) The device of Claim 10, wherein the filler material is taken from the group consisting of polystyrene beads, down feathers, resilient foam, air, liquid, flaxseed and silicon gel.

Please cancel Claim 12.

13. (Amended) The device of Claim 1, wherein the plurality of support members are configured to allow the position of the neonate to vary from a first posture when in said first position to a second posture when in said second position.

14. (As Filed) The device of Claim 13, wherein the first and the second postures comprise a supine, a prone, and a side-lying position.

15. (Twice Amended) A positioning device for positioning an infant, the device comprising:

a substantially conforming member;
at least two support members coupled to a portion of said conforming member to define a torso area thereon, each of said support members configured to be moved from a first position where said substantially conforming member is draped over a portion of at least one of said support members to define a first size of said torso area to a second position where said substantially conforming member is wrapped around at least one of said support members to define a second size of said torso area, movement of at least one support member configured to cause the position of the neonate to vary from a first posture to a second posture in response to the movement.

16. (As Filed) The device of Claim 15, wherein the repositioning of the infant is accomplished while avoiding human touch between the infant and a caregiver.

Please cancel Claim 17.

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP
25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

18. (Twice Amended) A method for repositioning an infant, the method comprising:

placing an infant on a conformable member defining a first torso area in a first posture;

rolling a portion of said conformable member around at least one support member to cause said first torso area to change in size from a first size to a second size; and

moving the infant from the first posture to a second posture in response to said rolling a portion of said conformable member around said at least one support member.

Please cancel Claim 19.

Claim 20 has been previously canceled.

Please cancel Claim 21.

REMARKS

Claims 1-11, 13-16 and 18 are pending. Claims 12, 17, 19 and 21 have been canceled. Claims 1, 9, 13, 15 and 18 have been amended. Applicants request reconsideration and reexamination of the pending claims.

Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Beger (USPN 5,351,348). Applicants traverse the rejection as follows.

Claims 1 sets forth a structure including:

a plurality of support members coupled to the conformable member, each support member configured to be moveable from a first position where said conformable member is draped over a portion of said support member to define a first torso area to a second position where said conformable member is wrapped around said support member to define a second torso area....

The variability of the size of the torso area allows a user to position a neonate or infant whom may have compromised muscle tone or development and require help to maintain proper alignment and fetal position. Applicants could find no teaching or suggestion in Beger which anticipates a plurality of support members configured to allow the conformable member to be wrapped around the support members to vary the size of the torso area.

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP

25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979